

RESOLUTION NO. A-_____

1 WHEREAS, it is desirable and in the public interest that the City of Lincoln,
2 Nebraska, a municipal corporation and a city of the primary class, undertake and carry
3 out urban redevelopment projects in areas of the City which are determined to be
4 substandard and blighted and in need of redevelopment; and

5 WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1943,
6 as amended, known as the Community Development Law, is the urban renewal and
7 redevelopment law for the State of Nebraska and prescribes the requirements and
8 procedures for the planning and implementation of urban redevelopment projects; and

9 WHEREAS, the City in accordance with its Home Rule Charter and the laws of
10 the State of Nebraska applicable to cities of the primary class has duly prepared and
11 approved a general plan for the development of the City known as its Comprehensive
12 Plan, all as required by Section 18-2110, R.R.S. 1943; and

13 WHEREAS, this Council has received and duly considered evidence relating to
14 the present condition of the North 26th/27th Street Redevelopment Area, as shown and
15 described on Attachment "A"; and

16 WHEREAS, this Council has received and duly considered other evidence,
17 including evidence relating to the scope and limitations of the previous redevelopment
18 plan in the area, and the inability of the previous plan to effectively remedy the
19 substandard and blighted conditions;

20 WHEREAS, Article 8, Section 12 of the Constitution of the State of Nebraska
21 requires that said area must be found to be both substandard and blighted in order for

1 tax increment financing to be used in said area; and WHEREAS, Section 18-2109,
2 R.R.S. 1943, as amended, requires that prior to the preparation by the City of an urban
3 redevelopment plan for a redevelopment project for the North 26th/27th Street
4 Redevelopment Area, this Council as governing body of the City, by resolution, after
5 review and recommendation from the Lincoln City Lancaster County Planning
6 Commission, find and determine that said area is both a substandard and blighted area
7 as defined in said Community Development Law, and in need of redevelopment; and

8 WHEREAS, on May 19, 2000 notice of public hearing was mailed, postage
9 prepaid, to the president or chairperson of the governing body of each county, school
10 district, community college, educational service unit, and natural resource district in
11 which the real property subject to such plan is located and whose property tax receipts
12 would be directly affected and to all registered neighborhood associations located in
13 whole or in part within one mile radius of the area to be redeveloped setting forth the
14 time, date, place, and purpose, of the public hearing to be held on May 31, 2000 before
15 the Lincoln City - Lancaster County Planning Commission regarding the proposed
16 determination that the North 26th/27th Street Redevelopment Area be declared a
17 blighted and substandard area as defined in the Nebraska Community Development
18 Law, a copy of said notice and list of said registered neighborhood associations having
19 been attached hereto as Attachment "B" and "C" respectively; and

20 WHEREAS, the Lincoln City-Lancaster County Planning Commission on May 31,
21 2000 recommended that the North 26th/27th Street Redevelopment Area be found to
22 be both a substandard and blighted area as defined in said Community Development
23 Law and the evidence demonstrates that said North 26th/27th Street Redevelopment

1 Area as shown and described on Attachment "A" constitutes both a substandard and
2 blighted area as defined in said Community Development Law, which area is in need of
3 redevelopment.

4 WHEREAS, on June 9, 2000 a notice of public hearing was mailed, postage
5 prepaid, to the foregoing governing bodies and registered neighborhood associations
6 setting forth the time, date, place, and purpose of the public hearing before the City
7 Council to be held on June 19, 2000 regarding the proposed determination that the
8 North 26th/27th Street Redevelopment Area be declared a blighted and substandard
9 area as defined in the Nebraska Community Development Law, a copy of said notice
10 having been attached hereto as Attachment "D"; and

11 WHEREAS, on June 2, 2000 and June 9, 2000 a notice of public hearing was
12 published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and
13 purpose of the public hearing to be held on June 19, 2000 regarding the proposed
14 determination that the North 26th/27th Street Redevelopment Area be declared a
15 blighted and substandard area as defined in the Nebraska Community Development
16 Law, a copy of such notice having been attached hereto and marked as Attachment
17 "E"; and

18 WHEREAS, on June 19, 2000 in the City Council Chambers of the County City
19 Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public
20 hearing relating to the proposed that the North 26th/27th Street Redevelopment Area
21 be declared a blighted and substandard area as defined in the Nebraska Community
22 Development Law and all interested parties were afforded at such public hearing a
23 reasonable opportunity to express their views respecting said proposed plan; and

1 WHEREAS, the City Council has duly considered all statements made and
2 materials submitted relating to said proposed determination.

3 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
4 Lincoln, Nebraska:

5 1. That it is hereby found and determined that the North 26th/27th Street
6 Redevelopment Area as shown and described on Attachment "A", constitutes both a
7 substandard and blighted area as defined by subsections (10) and (11), respectively, of
8 Section 18-2103, R.R.S. 1943, as amended, and that said area is in need of
9 redevelopment.

10 2. That it is hereby found and determined that substandard and blighted
11 conditions exist as set forth and discussed in Attachment "F" (entitled North 26th/27th
12 Street Redevelopment Area- Blight/Substandard Determination Study) attached hereto
13 and incorporated herein as though fully set forth verbatim.

14 3. That despite the previous redevelopment plan such substandard and
15 blighted conditions are beyond remedy and control solely by regulatory process and the
16 exercise of police power and cannot be dealt with effectively by the ordinary operations
17 or private enterprise without the aids provided by the Community Development law,
18 specifically including Tax Increment Financing. The elimination of said substandard
19 and blighted conditions under the authority of the Community Development Law is
20 found to be a public purpose and in the public interest.

21 4. That it is hereby found and determined that said area is an eligible site for
22 an urban redevelopment project under the provision of Chapter 18, Article 21, Nebraska
23 Revised Statutes of 1943, as amended.

1 BE IT FURTHER RESOLVED that the Department of Urban Development as the
2 duly designated community development agency for the City of Lincoln is hereby
3 authorized and directed to immediately proceed with the preparation of a new
4 redevelopment plan and associated projects for the North 26th/27th Street
5 Redevelopment Area, which plan shall be prepared in accordance with the
6 requirements and procedures of said Chapter 18, Article 21, for ultimate review and
7 consideration by this Council.

Introduced by:

Approved as to Form and Legality:

Assistant City Attorney

Staff Review Completed:

Administrative Assistant